

REMARKS

I. Status of the Claims

Claims 1-5, 7-9, 11, 17, 19-21 and 23-27 were pending prior to this amendment.

By this Amendment claims 5 and 17 have been canceled without prejudice, and claims 1, 7, 19, 13 and 25 have been amended. No new matter has been introduced by this Amendment.

II. Objections to the Claims:

Claims 5 and 25 have be objected to because claim 5 contained incorrect punctuation, and claim 25 contained the phrase “usable medium.”

Applicants have canceled claim 5, and have amended claim 25 to include the phrasing “readable medium” as suggested by the Examiner. In view of these amendments, Applicants respectfully request the previous objections to be withdrawn.

Claims 4, 5, 7-9, 11, 12, 17, 19, 20, 23, 24, 26 and 27 have been objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Independent claims 1, 13 and 25 have been rewritten to include the subject matter contained in now canceled claims 5 and 17 (wherein claim 17 includes similar limitations to claim 5). These claims were previously indicated by the Examiner as containing allowable subject matter. Therefore, Applicants believe that independent claims 1, 13 and 25 are now in condition for allowance, and as a result, any previous objections to these claims or claims 4, 5, 7-9, 11, 12, 17, 19, 20, 23, 24, 26 and 27, which depend from claims 1, 13 and 25, should be withdrawn.

III. Rejections Under 35 U.S.C. §102(e):

Claims 1-3, 13-16, 21 and 25 have been rejected under 35 USC §102(e) as being anticipated by US 6,141,043 to Suzuki et al (hereafter “Suzuki”).

Independent claims 1, 13 and 25 have been rewritten to include the subject matter contained in now canceled claims 5 and 17 (wherein claim 17 includes similar limitations to claim 5). These claims were previously indicated by the Examiner as

Serial No. 09/909,196

Response to September 20, 2005 Office Action

Docket No. 1232-4742

containing allowable subject matter. Therefore, Applicants believe that independent claims 1, 13 and 25 are now in condition for allowance, and as a result, any previous rejections to these claims should be withdrawn. In addition, claims 2, 3, 14-16 and 21 depend from the aforementioned independent claims, and as a result, are allowable for the same reasons stated above.

Serial No. 09/909,196

Response to September 20, 2005 Office Action

Docket No. 1232-4742

CONCLUSION

Based on the foregoing amendments and remarks, Applicant respectfully requests reconsideration and withdrawal of both the objections and rejections of claims and the allowance of this application.

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 13-4500, Order No. 1232-4742. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4500, Order No. 1232-4742. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.

Dated: November 18, 2005

By:



Elliot Frank

Registration No. 56,641

(202) 857-8037 Telephone

(202) 857-7929 Facsimile

Correspondence Address:

MORGAN & FINNEGAN, L.L.P.
3 World Financial Center
New York, NY 10281-2101